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1 TED G. DANE (State Bar No. 143195)

Ted.Dane@mto.com

2 ANDREW W. SONG (State Bar No. 236588)

Andrew.Song@mto.com

3 MUNGER, TOLLES & OLSON LLP

355 South Grand Avenue

4 Thirty-Fifth Floor

Los Angeles, CA 90071-1560

5 Telephone: (213) 683-9100

Facsimile: (213) 687-3702

6 JASON A. RANTANEN (State Bar No. 229404)

Jason.Rantanen@mto.com

7 MUNGER, TOLLES & OLSON LLP

8 560 Mission Street

Twenty-Seventh Floor

9 San Francisco, CA 94105-2907

Telephone: (415) 512-4000

10 Facsimile: (415) 512-4077

11 Attorneys for Plaintiff

MEDEGEN, INC.

13 UNITED STATES DISTRICT COURT

14 CENTRAL DISTRICT OF CALIFORNIA

15
16 MEDEGEN MMS, INC.,

17 Plaintiff,

18 vs.

19 ICU MEDICAL, INC.,

20 Defendant.

CASE NO. SA CV 06-619 MRP (ANx)

~~PROPOSED~~ ORDER DISMISSING
CLAIMS AND COUNTERCLAIMS

Judge: Mariana R. Pfaelzer

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23 Having considered the Joint Stipulated Dismissal filed August 4, 2009,
24 it is hereby ordered that:

- 25 1. Medegen's Complaint is dismissed with prejudice.
- 26 2. ICU's counterclaims for declaratory judgment of invalidity and
- 27 unenforceability are dismissed without prejudice; ICU's counterclaim for
- 28 declaratory judgment of non-infringement is dismissed with prejudice.

~~PROPOSED~~ ORDER DISMISSING CLAIMS
AND COUNTERCLAIMS
SA CV 06-619 MRP (ANX)

1 3. Each party shall bear its own costs and attorney's fees with
2 regard to these claims.

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4 IT IS SO ORDERED.

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6 Dated: August 7, 2009 Mariana R. Paelzer
7 The Honorable Mariana R. Paelzer
8 United States District Judge

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10 Dated: August 7, 2009 Respectfully submitted by
11 MUNGER, TOLLES & OLSON LLP

12 By: /s/ Andrew W. Song
13 Ted G. Dane
14 Jason A. Rantanen
15 Andrew W. Song

16
17 Counsel for Plaintiff Medegen, Inc.
18 Dated: August 7, 2009 MORRISON & FOERSTER

19 By: /s/ Kimberly N. Van Voorhis
20 James Pooley
21 Kimberly N. Van Voorhis
22 Katherine Nolan-Stevaux

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24 Counsel for Defendant ICU Medical, Inc.
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